Atty. Dkt. No. 067286-0277



## THE UNITED STATES PATENT AND TRADEMARK OFFICE

James C. KENNEDY et al. Applicants:

Title:

PHOTOCHEMOTHERAPEUTIC METHOD

**USING 5-AMINO LEVULINIC ACID AND** OTHER PRECURSORS OF ENDOGENOUS

**PORPHYRINS** 

Appl. No.:

10/605,825

Filing Date:

10/29/2003

Examiner:

Unassigned

Art Unit:

1617

## INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR §1.56**

Mail Stop PATENT APPLICATION **Commissioner for Patents** PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/816,329, filed 03/26/2001. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the aboveidentified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in

37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be 05/11/2004 YCHADWIC 00000004 190741 10605825

on FC:1806 appropriate to antedate or otherwise remove as a competent reference any document which is 180.00 DA

determined to be a prima facie art reference against the claims of the present application.

## TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

## RELEVANCE OF EACH DOCUMENT

The relevance of the listed documents is explained in the parent application.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

By

Respectfully submitted,

Date 26 March 2004

**FOLEY & LARDNER LLP** Customer Number: 22428

Telephone:

(202) 672-5475

Facsimile:

(202) 672-5399

Beth A. Burrous

Attorney for Applicants

Registration No. 35,087